

## **REMARKS**

Claims 1-7 and 10-12 are pending and under consideration in the above-identified application. Claims 13-23 were withdrawn pursuant to a restriction requirement dated May 29, 2008.

In the Office Action dated August 5, 2009, the Examiner rejected claims 1-7 and 10-12.

With this Amendment, claims 1 and 2 were amended. No new matter has been introduced as a result of the Amendment. Support for the Amendment can be found on at least pages 10 and 20-12 of the specification.

### **I. Claim Objections**

Claim was objected to 2 for being broader than the claim it depends from. In response, Applicant amended claim 2 to require a “biodegradable polysaccharide” that is selected from cellulose, starch, chitin, chitosan, dextran, a derivative thereof, or a copolymer containing at least one of the listed biodegradable polysaccharides. Since independent claim 1 requires any biodegradable polysaccharide, Applicant contends that the claim limitation in claim 2 further limits claim 1 by requiring that the biodegradable polysaccharide is selected from a specific group of biodegradable polysaccharides. As such, the above objection is now moot. Accordingly, Applicant respectfully requests that the above rejection be withdrawn.

### **II. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 1-7 and 10-12 were rejected under 35 U.S.C. § 103(a) as being anticipated by Yamada et al. (JP 2003-192925, 2005/0143502 as English equivalent) in view of Yoshida (US Publication No. 2002 0151631) and Tokiwa et al. (U.S. Publication No. 2003 0079654). Applicant respectfully traverses this rejection.

The claims require a biodegradable resin composition that includes a flame retardant additive containing a hydroxide and a nitrogen oxide compound. The claims also require that the

nitrogen oxide compound is in an amount of 1 to 50 parts by weight per 100 parts by weight of the biodegradable polysaccharide, and that the hydroxide is in an amount of 20 to 120 parts by weight per 100 parts by weight of the biodegradable polysaccharide. The relationship between the amount of nitrogen oxide compound and the amount of hydroxide to the biodegradable polysaccharide results in improved flame retardancy without affecting the strength of the biodegradable polysaccharide.

Yamada et al. teaches biodegradable resin that includes a flame retardant additive and a hydrolysis inhibitor. Yamada et al., paragraph [0008]. Additionally, Yoshida teaches a nitrogen oxide as a flame retardant compound. Yoshida, Paragraph, [0009]. However, neither Yamada et al. nor Yoshida et al. teach a resin that includes both a hydroxide *and* a nitrogen oxide compound as required by the claims. Furthermore, neither of the cited references teach nor even fairly suggest the relationship between the amount of nitrogen oxide compound and the amount of hydroxide to the amount of biodegradable polysaccharide. As such, the above cited references fail to teach or even fairly suggest all the required elements of the claims. Accordingly, Applicant respectfully requests that the above rejection be withdrawn.

**III. Conclusion**

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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